

REMARKS

Reconsideration of the application is requested in view of the above amendments and the following remarks. Claims 1, 2, 5 and 7 have been amended. Claims 6 and 8 have been canceled without prejudice or disclaimer and claims 9 and 10 have been added. Claims 9 and 10 include the allowable limitations of claims 5 and 7 rewritten in independent form. Claim 1 has been amended to include the allowable limitations of claim 2. No new matter has been added.

Objections and 112 Rejections

The Abstract of the application was objected to because it included the word "comprising". A new Abstract is enclosed herewith that addresses this formality. Withdrawal of the objection to the Abstract is respectfully requested.

The Title of the application has been amended into a form closely tracking the Examiner's suggestion.

The Office Action states that page 7, line 23 includes a misspelling of the word "of". Applicant cannot identify this misspelling at page 7, line 23 and requests clarification.

The Drawings were objected to because the steps 22, 24 shown in Fig. 4 were not included in the Specification. This Specification has been amended at page 5 to include reference to numbers 22 and 24.

Claims 1-7 were rejected under 35 U.S.C. §101. The claims have been amended to replace the step of "utilising" with a step of calculating as suggested by the Examiner. Applicant submits that claims 1-7 claim statutory subject matter.

Claims 1-7 were rejected under 35 U.S.C. §112, 2nd paragraph, as being incomplete for omitting essential steps. Claims 1-7 have been amended to recite all the essential steps and is now complete. Withdrawal of the rejection is respectfully requested.

Claim 8 was rejected under 35 U.S.C. §112, 2nd paragraph as being indefinite. Claim 8 has been canceled, rendering this rejection moot. Applicant does not otherwise concede the correctness of this rejection.

Claims 1, 5, 6, and 7 were objected to for a number of formalities. Claims 1, 5, and 7 have been amended as suggested by the Examiner. Claim 6 has been canceled as noted above, rendering this objection moot as to that claim.

Applicant notes that the amendments described in this section were not made to overcome an art based rejection. Accordingly, such amendments should not be construed in a limiting manner.

§ 102 Rejections

Claims 1, 4, and 8 were rejected under 35 U.S.C. §102(b) as being anticipated by Burton (U.S. 5,052,395). Applicant respectfully traverses this rejection. As noted above, claim 1 has been amended to include the allowable subject matter of claim 2. Therefore, claims 1, 4, and 8 should be in condition for allowance. Applicant does not otherwise concede the correctness of this rejection.

Claims 1, 4 and 8 were rejected under 35 U.S.C. §102(b) as being anticipated by Barnes (U.S. 4,509,526). Applicant respectfully traverses this rejection. As noted above, claim 1 has been amended to include the allowable subject matter of claim 2. Therefore, claims 1, 4, and 8 should be in condition for allowance over Barnes. Applicant does not otherwise concede the correctness of this rejection.

New Claims

Claims 9 and 10 have been added and recite the allowable subject matter of claims 5 and 7, respectively. Applicant requests consideration and allowance of new claims 9 and 10.

In view of the above, Applicant requests reconsideration of the application in the form of a Notice of Allowance. If a phone conference would be helpful in resolving any further issues related to this matter, please contact Applicant's attorney at (612) 336-4755.

Respectfully submitted,

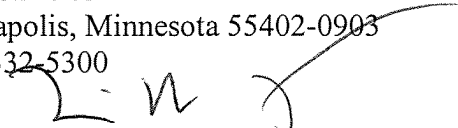
MERCHANT & GOULD P.C.

P.O. Box 2903

Minneapolis, Minnesota 55402-0903

(612) 332-5300

Date: 4 January 2007



Brian H. Batzli

Reg. No. 32,960

BHB:JNR:njo:ae